

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:

Centoria Brisco

Case No. 19-35694
Honorable Deborah L. Thorne
Chapter 13

**PRESTIGE FINANCIAL SERVICES INC.'S OBJECTION
TO CONFIRMATION OF THE DEBTOR'S CHAPTER 13 PLAN**

NOW COMES Prestige Financial Services Inc., by and through its attorney James M. Philbrick of the LAW OFFICES OF JAMES M. PHILBRICK P.C., and as and for its Objection to Confirmation of Debtor's Chapter 13 Plan, states as follows:

1. That Prestige Financial Services Inc. is a creditor-claimant of the Debtor, and brings this Objection pursuant to 11 U.S.C. §1324 and §1325.
2. That on August 18, 2016, the Debtor executed an Agreement for an interest in one 2015 Dodge Journey, VIN: 3C4PDCAB7FT595641.
3. That on August 18, 2016, the Agreement was duly assigned to Prestige Financial Services Inc.. That thereafter the lien of Prestige Financial Services Inc. was properly perfected in accordance with the Illinois Motor Vehicle Act, and said lien was noted upon the certificate of title in connection with the aforesaid vehicle.
4. That on December 19, 2019, the Debtor filed a voluntary petition under Chapter 13 of Title 11 of the United States Code.
5. That the payoff balance owing to Prestige Financial Services Inc. under the terms of the Agreement at the time of filing was \$18229.30
6. That the Debtor's Chapter 13 Plan does not provide for Prestige Financial Services Inc.'s claim for attorney fees in the amount of \$500.00.
7. That the Debtor's Chapter 13 Plan fails to provide for equal monthly amounts to pay Prestige Financial Services Inc.'s claim in full during the proposed length of the plan as provide by 11 U.S.C. §1325(a)(5)(iii)(I) and (II).

8. That the Debtor's Chapter 13 Plan fails to provide for the commencement of sufficient adequate protection payments directly to Prestige Financial Services Inc..

9. That Prestige Financial Services Inc. is entitled to interest on its claim at the Agreement rate of 17.99%.

10. Debtor's plan fails to provide an interest rate in compliance with the guidelines of the Supreme Court decision, In re Till.

11. That for the reasons stated herein, confirmation of the Debtor's Chapter 13 Plan should be denied.

WHEREFORE, Prestige Financial Services Inc. prays this Honorable Court for entry of an order denying confirmation of the Debtor's Chapter 13 Plan and for such other and further relief as the Court may deem just and proper.

Prestige Financial Services Inc.

By: /s/ James M. Philbrick
One of its Attorneys

CERTIFICATE OF SERVICE

I, James M. Philbrick, an attorney, certify that I personally served the above Objection on the Debtor's attorney, Jessica A Boone and on the Chapter 13 Trustee, Marilyn O. Marshall, by Court Electronic Notification on the 11th day of January, 2020, before the hour of 5:00 p.m.

/s/ James M. Philbrick

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